

Applicant: Joe and Ida Chavez

Agent: Stonebridge Reality

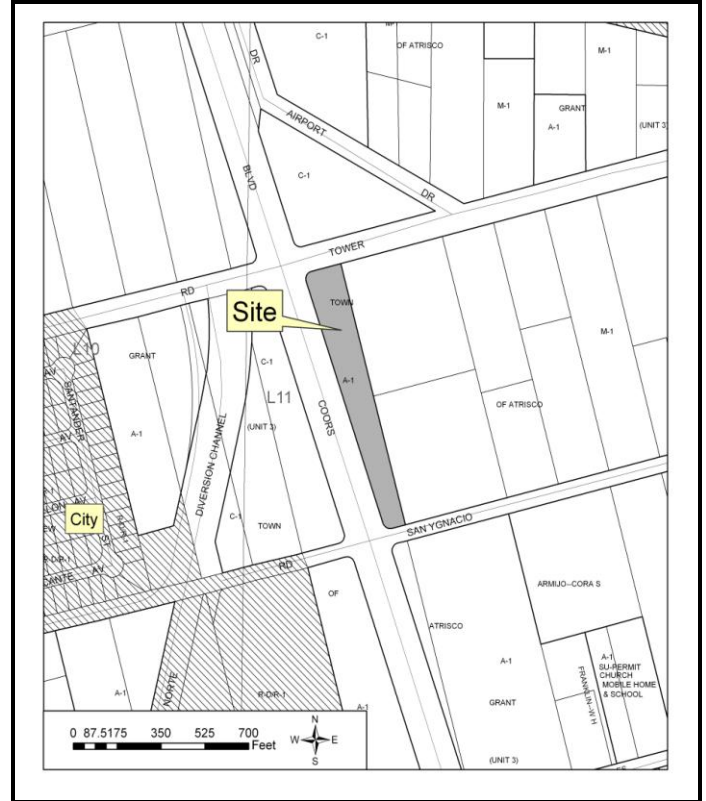
Location: East side of Coors Boulevard SW between Tower Road and San Ygnacio Road

Property Size: 2.79 acres (approximately)

Existing Zone: A-1

Proposed Request: C-1

Recommendation: Approval



Summary: The applicant is requesting a zone map amendment for A-1 to C-1 for approximately a 2.79 acre parcel of land located on the east side of Coors Boulevard between Tower Road and San Ygnacio Road SW. The applicant anticipates developing the property with retail and service commercial uses. The site is currently vacant.

The site is located in the Developing Urban Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan and Residential Area Five (5) of the Southwest Area Plan

Staff Planner: Enrico Gradi, Program Planner

Attachments: 1. Application
2. Land Use Map

Bernalillo County Departments and other interested agencies reviewed this application from 12/15/2009 to 1/11/2010. Agency comments are verbatim and were used in preparation of this report, which being on page 12.

AGENDA ITEM NO.: 14
County Planning Commission
February 3, 2010

CZ-20100003 Stonebridge Realty, agent for Joe & Ida Chavez, requests approval of a zone map amendment from A-1 to C-1 on Tract 362, Unit 3, Town of Atrisco Grant, located on the east side of Coors Boulevard SW between Tower Road and San Ygnacio Road, and containing approximately 2.79 acres. (L-11)

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding Zoning & Land Uses

Site	Zoning	Land Use
	A-1	Vacant
North	A-1 and C-1	Vacant
South	A-1 and RD/R-1 (Municipal Limits)	Vacant
East	A-1 and M-1	A-1 portion vacant with the M-1 parcels developed with mixed industrial uses.
West	A-1 and the Amole Del Norte Diversion Channel and the Municipal Limits zoned RD/R-1	Amole Del Norte Diversion Channel and the County A-1 portion vacant and the City RD/R-1 developed residentially

BACKGROUND:

The Request

The applicant is requesting a zone map amendment from A-1 to C-1 for a 2.79 acre tract of land located on the east side of Coors Boulevard between Tower Road and San Ygnacio Road SW. The subject site is currently vacant. The applicant is proposing to develop the subject site with retail and service commercial uses.

Request Justification

The applicant contends that the existing zoning is inappropriate as there have been significant changes in neighborhood conditions since the adoption of the existing A-1 zoning that justify the requested zoning and land use change.

Surrounding Land Use and Zoning

The subject site is currently vacant. To the west is the Amole Del Norte Diversion Channel. North of Tower exists vacant A-1 and C-1 zoning. The A-1 portion is currently owned by the County and used as a detention pond to service the Amole Del Norte Diversion Channel, while the C-1 zoned parcels (two) are currently vacant. To the east of the site is M-1 zoning that contains a roofing supply business and a contractor's yard. To the south exists a vacant County A-1 zoned parcel.

The most current zoning activity that have occurred in the general vicinity were the approvals of two zone map amendments from A-1 to C-1 for property east of Coors Boulevard between Tower Road and Bridge Boulevard (CZ, 70009, CZ-60015 and CZ-50008).

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

The site is located in the Developing Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan. The Goal for this land use area is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities with the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.

Policy a states that the Established and Developing Urban Areas shall allow a full range of urban land uses, resulting in an overall gross density of up to five dwelling units per acre.

Policy d states that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources and resources of other social, cultural, or recreational concern.

Policy e states that new growth shall be accommodated through development of areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.

Policy g states that development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

Policy i states that employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Policy j states that where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In free standing retailing and contiguous storefronts along streets in older neighborhoods.

Policy k states that the land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation operations.

Policy l states that quality and innovation in design shall be encouraged in all new development design shall be encouraged which is appropriate for the plan area.

Policy m states that urban and site design, which maintains and enhances unique vistas and improves the quality of the visual environment, shall be encouraged.

Air Quality

The Goal is to improve air quality to safeguard public health and enhance the quality of life.

Policy g states that pollution from particles shall be minimized.

- Use vegetation, landscaping and other erosion control techniques to minimize dust pollution especially from construction sites.
- Modify the Development process manual to expand requirements for topsoil disturbance permits and dust control plans for excavations greater than $\frac{3}{4}$ acre; monitor and strictly enforce the existing regulations regarding airborne particulates.

Economic Development

The Goal is to achieve steady and diversified economic development balance with other important social, cultural and environmental goals.

Policy a states that, "New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to area of most need."

Policy b states that, "Development of local business enterprises as well as the recruitment of outside firms shall be emphasized."

Southwest Area Plan (SWAP)

The site is located in Residential Area Five (5) of the Southwest Area Plan.

Policy 30(h) allows up to nine dwelling units per net acre in Residential Area Five (5), when city water and sewer services are available.

Policy 16 states that heavy industrial and commercial traffic shall be limited in village centers and residential areas to enhance residential stability, respect the history and integrity of the area, and promote neighborhood scale (CN zoning) economic development.

Policy 23 states that all development and subdivisions shall be required to limit the level of water runoff generated from new construction or paving in order to reduce velocity and volume of runoff, and to ensure the viability and capacity of down stream facilities.

Policy 29 states the County and City shall stabilize residential zoning and land use in the plan area.

Policy 34 states standards for outdoor lighting shall be implemented to ensure that their use does not interfere with the night sky environment and unnecessarily adjacent properties.

Policy 45 encourages the location of newly developing neighborhood scale commercial and office use be within their defined village centers.

Policy 46 balance economic development and the quality of life for existing communities as well as for newly developed areas.

Policy 49 promotes small-scale community commercial centers, which foster a market place atmosphere; improve profit for small businesses; provide jobs; and circulate dollars within the area economy to enhance a community environment and meet retail, recreational and service needs of area residents.

Tower/Unser Sector Development Plan

Section V, Recommended Zoning

D.2, Commercial Zoning, Justification:

C-2 zoning is shown at several locations in the plan area. They are the northwest corner of 98th Street and Sage, the northwest corner of Coors Road and Sage, and the southwest and northeast corners of Coors Road and Tower Road. These locations are on principal arterials, and three of the sites are separated from adjacent properties by major drainage channels that provide the needed buffer between land uses. The fourth location, at the northeast corner of Coors Road and Tower Road, is adjacent to property both to the north and south which is recommended to be zoned M-1. Each parcel is of a size which can provide expanded services beyond the smaller neighborhood commercial centers.

Bernalillo County Zoning Ordinance

Resolution 116-86 defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

The following policies for deciding zone map changes and Special Use Permit applications pursuant to the adopted Bernalillo County Zoning Ordinance.

- A. A proposed land use change must be found to be consistent with the health, safety and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other Master Plans and amendments thereto including privately developed area plans which have been adopted by the Board of County Commissioners.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 - 1. An error in the original zone map.
 - 2. Changed neighborhood conditions, which justifies a change in land use or
 - 3. That a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the Board of County Commissioners.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- H. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

- I. A zone change request, which would give a zone different from the surrounding zoning to a strip of land along a street, is generally called a “strip zoning.” Such a change of zone may be approved only when:
 1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

ANALYSIS:

Surrounding Land Use and Zoning

The applicant is requesting a zone map amendment from A-1 to C-1 for the development of retail and service commercial uses for this area of the South Valley.

The site is currently vacant and located on Coors Boulevard between Tower Road and San Ygancio Road SW. Located to the west is the Amole Del Norte Diversion Channel. To the north of Tower is a vacant lot containing A-1 and C-1 zoning. The A-1 portion is currently owned by the County and used as a detention pond to service the Amole Del Norte Diversion Channel, while the C-1 zoned parcels (two) are currently vacant. To the east of the site are two M-1 zoned parcels developed with a contractor’s yard and roofing company and a number of mixed industrial uses further to the east. To the south exists a vacant County A-1 zoned parcel.

Plans

Albuquerque Bernalillo County Comprehensive Plan

This site is located in the Developing Urban Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The principal Goal for the Developing Urban Area of the Comprehensive Plan addresses the creation of a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and lifestyles, while creating a visually pleasing built environment.

The request appears to facilitate the Comprehensive Plan Goal and the following associated policies in that the uses allowed under the C-1 zoning designation will be keeping with neighborhood values and are of a neighborhood commercial nature thereby assuring the integrity of the existing neighborhoods. The site is also currently vacant and in close proximity to existing C-1 zoning and to existing urban facilities and services.

Land use Policy a states that the Developing Urban Areas shall allow a full range of urban land uses, resulting in an overall gross density of up to five dwelling units per acre. Further, Policy d establishes that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources and resources of other social, cultural, or recreational concern.

Land use Policy e calls for new growth to be accommodated through development of areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of the existing neighborhoods can be assured.

Land use Policy I call for employment and service uses to be located so as to complement residential areas and be sites to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Southwest Area Plan

The site is located in Residential Area 5 of the Southwest Area Plan, which recommends nine (9) dwelling units per acre in this area of the South Valley.

Although the site is not within a defined village center as called for in the Southwest Area Plan, Policy 46 calls for balancing economic development and the quality of life for existing communities as well as for newly developed areas.

Tower/Unser Sector Development Plan

The Tower/Unser Sector Development Plan adopted by the City recommends C-2 zoning for the subject site.

Zoning Ordinance

This request is consistent with Resolution 116-86 of the Zoning Ordinance in that the request is not in significant conflict with the elements of the adopted plans and policies and, due to the changed neighborhood conditions, a different use category would be more advantageous to the community in providing neighborhood scale services to this part of the South Valley that is experiencing a substantial increase in residential development. The proposed land use does not appear to constitute a "spot zone" as C-1 zoned properties exist directly northeast of the site.

Under C-1 zoning, there are some permissive uses, such as a convenience store with package liquor sales, which may have an adverse affect on the overall community. Consequently, the location of the site is not close proximity to any densely developed residential community and the Amole Del Norte Diversion Channel separates the site from potential residential development to the west. In addition, undeveloped C-1 zoning currently exists just west of the site. It appears that additional C-1 zone maybe most appropriate for this site because of its proximity to the surrounding M-1 zoning and the growing demand for neighborhood commercial services in this part of the South Valley.

Agency Comments

The Public Works Division commented that if the zone change is approved, a Traffic Impact Study, additional public right-of-way and road improvements may be required at the time of subdivision or development.

The Parks and Recreation Department (BCPR) has noted that the 2030 Metropolitan Transportation Plan shows a proposed multi-use trail alignment along the Amole del Norte Diversion Channel on the west side of the subject property and that the applicant will be required to design and construct a multi-use trail to meet BCPR and AMAFCA standards and requirements.

The Mid-Region Council of Governments has commented both Coors Boulevard and Tower Road are designated as having on-street bicycle lanes and that coordination with County Public Works is encouraged to insure project conformity with adopted policies.

Analysis Summary

Zoning	
Resolution 116-86	The proposed C-1 is not in conflict with adopted elements of the Comprehensive Plan and other adopted plans.
	C-1 zoning is appropriate for the area given the changed neighborhood conditions
	Proposed land use would be more advantageous to the community in that it provides neighborhood scale services to this particular area of the South Valley.
	The proposed C-1 zoning does not constitute a "spot zone" as C-1 zoning exist directly northeast of the sit.
Plans	
Comprehensive Plan	Consistent with Developing and Established Urban designation for mixed uses.
Southwest Area Plan	The proposed use could balance economic development and the quality of life for existing communities as well as for newly developed areas and would not interfere with the integrity and character of the area.
Other Requirements	
Public Works Division	A Traffic Impact Study, additional public right-of-way and road improvements may be required at the time of subdivision or development.

Conclusion

The request for a zone change to allow neighborhood commercial uses seems reasonable given the changes that have taken place away from agricultural land use towards a trend of high density residential development to the west, the existing commercially zoned property west of the site and the mixed industrial uses specifically to the east. The request does not

COUNTY PLANNING COMMISSION

February 3, 2010

CZ-20100003

appear to constitute a “spot zone” as C-1 zoning has been established northeast of the subject site. In addition, there has been no opposition submitted with regards to this request.

RECOMMENDATION:

Approval, based on the following Findings.

Enrico Gradi
Program Planner

FINDINGS:

1. This is a request for a zone map amendment from A-1 to C-1 on Tract 362, Unit 3, Town of Atrisco Grant, located on the east side of Coors Boulevard SW between Tower Road and San Ygnacio Road, and containing approximately 2.79 acres.
2. The property is located in the Developing Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan.
3. This request is consistent with Resolution 116-86 in that this land use is more advantageous to the community since it provides neighborhood scale services to this particular area of the South Valley as articulated in Policies 40 and 41 of the Southwest Area Plan.
4. The request is consistent with Resolution 116-86 in that changed neighborhood conditions have occurred in the immediate area of the site away from agricultural land use in favor of commercial zoning and high density residential uses.
5. This request is consistent with the health, safety, and general welfare of the residents of the County.

BERNALILLO COUNTY DEPARTMENT COMMENTS

Environmental Health:

No adverse comments

At time of development facility must connect to available sewer and water utility

Fire: No comments received.

Zoning Administrator

The C-1 zone, outlined on pp. CDA:34 - CDA:39, allows for a variety of residential, office and limited commercial activities to "satisfy the day-to-day needs of nearby residential areas and to minimize any adverse effect on nearby residential development" (Sec. 14.A.). If this request is approved, future development will be subject to the other applicable requirements of the Zoning Ordinance such as landscaping, off-street parking, and area standards.

Zoning Enforcement Manager:

Based on the above comments there is no adverse comments at this time.

There are no zoning violations on this property.

Building Department Manager: No comments received.

Public Works:

DRAN:

1. A Grading & Drainage Plan will be required at the time of development.

DRE

1. No adverse comments at this time, but at the time of development they will need to submit a Grading & Drainage as well as a Traffic Scoping Report.

Parks & Recreation:

The 2030 Metropolitan Transportation Plan Long Range Bikeway System Map indicates existing bike lanes within Coors Blvd. and Tower Rd. The 2030 Metropolitan Transportation Plan Long Range Bikeway System Map indicates existing bike lanes within Coors Blvd. and Tower Rd.

Sheriff's: No comment received

COMMENTS FROM OTHER AGENCIES

MRGCOG:

Coors Bd is designated a limited-access facility with access provided "as currently designed" as of July, 1986 in the FAABS. Aerial photos from 1996 show access approximately 500 feet south of Tower Rd. Tower Rd is designated a minor arterial on the Long Range Roadway System Map with an established right of way of 100 feet. In addition, both Coors Bd and Tower Rd are designated as having on-street bicycle lanes on the Long

COUNTY PLANNING COMMISSION

February 3, 2010

CZ-20100003

Range Bikeway System Map. Coordination with County Public Works is encouraged to insure project conformity with these adopted policies of the MTB.

AMAFCA: No comment.

City Planning Department/Development Services: No comments received.

City Open Space: No adverse comments.

Municipal Development Dept:

Transp. Planning:

Coors Boulevard adjacent the site is a limited access principal arterial as designated on the Long Range Roadway System map. Requests for any additional access from Coors Boulevard to accommodate the likely increase in traffic resulting from the proposed change in zoning, will require the approval of the Transportation Coordinating Committee (TCC) of the Mid-Region Council of Governments consistent with procedures described in R-05-09.

Transp. Development: No adverse comments.

City Transit: No comments received.

ABCWUA/Utility Development Section: No adverse comments.

City Environmental Health: No comments received.

NM Department of Transportation

A TIA may be required for the development. The type and intensity of commercial development will dictate whether or not TIA is needed.

Albuquerque Public School:

Commercial uses will have no adverse impacts to the APS district.

PNM:

It is the applicant's obligation to determine and accommodate existing utility easements that cross the property, to dedicate utility easements, and to abide by any conditions or terms of such easements.

NEIGHBORHOOD ASSOCIATIONS:

South Valley Alliance

South Valley Coalition of Neighborhood Associations

South West Alliance

Stinson/Tower Neighborhood Association

